

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes
May 1, 2008

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday May 1, 2008.

MEMBERS PRESENT

Rick Hessig, Chairman
Roger McDonald, Vice-Chairman
Jim Ringo
Mary Pedersen
Mike Ober

OCCUPATIONS & PROFESSIONS STAFF

Gerald Hoppmann, Division's Director
Susan Ellis, Fiscal Section Supervisor
Wendy Satterly, Division's Supervisor
Adriana Lang, Board Administrator

OTHERS PRESENT

Diane Fleming, Attorney
Larry Nunes

MEMBER ABSENT

William Witten
Gary Tinker

CALL TO ORDER

The Chairman, Mr. Rick Hessig, called the meeting to order at 1:15 p.m.

APPROVAL OF MINUTES

The minutes of the March 27, 2008 meeting was called to the attention of the members. A motion was made by Mr. Roger McDonald to approve the minutes as amended, the motion, seconded by Mr. Jim Ringo, carried.

FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating a balance of \$88,458.07 from July 1, 2007 to March 31, 2008. A motion was made by Mr. Jim Ringo to accept the Financial Statement. The motion, seconded by Ms. Mary Pedersen, carried. The Board discussed their administrative and legal fees. Mr. Gerald Hoppmann informed the Board that a monetary transfer amount of \$35,800.00 is approved for the fiscal year of 2009. He also stated that the transfer will be from the Board's account to the General Funds Account. The Board questioned staff members on the past legal and hearing officer's fees.

Ms. Diane Fleming and Ms. Susan Ellis provided the Board a detailed explanation of legal, as well as hearing expenditures. The Board questioned the hearing expenses as reflected on the Financial Statement; Board members did not remember actual hearings taking place. The Board questioned whether KRS 329A.065 gave them authority to take action against licenses prior to have KRS Chapter 13B hearing although Ms. Fleming stated that hearings such as with the case of requested proof of insurance information should proceed any action taken against licensees. The Board requested that in the future, all Board initiated complaints against licensees be voted on first by the Board prior to sending out Notice of Administrative Hearings and holding pre-hearing conferences.

DIRECTOR'S REPORT

Mr. Gerald Hoppmann discussed with the Board the Contract Renewal Proposal from Schroeder Measurement Technology (SMT). Also, at 2:00 p.m. E.S.T. a conference telephone call occurred between the Kentucky Board of Licensure for Private Investigators and Mr. Joel Karmazyn, SMT representative. They discussed the exam sites locations, availability, prices and the new Contract Renewal Proposal. Mr. Mike Ober made a motion to accept the new contract with SMT as the Board's exam provider and for Mr. Hoppmann to draft a letter of acceptance in response to SMT. The motion, seconded by Mr. Roger McDonald, carried. Mr. Ober also requested reiteration of the need for additional testing sites as well as restricted testing within the Commonwealth.

LICENSURE STATUS REPORT

The Board reviewed the licensure status report of May 1, 2008.

OLD BUSINESS

The Board reviewed, for information only, correspondence and e-mails received from Mr. Tom Loos regarding the Kentucky League of Licensed Investigators. (K.L.L.I). Ms. Diane Fleming informed the Board that she received an apology e-mail from Mr. Loos.

The Board reviewed an appeal request from Mr. Brian Wong. Mr. Mike Ober made a motion to approve with provisions Mr. Wong's application. The motion, seconded by Mr. Jim Ringo, carried.

The Board reviewed a correspondence from the Federal Bureau of Investigation (FBI) regarding the finger print cards' chain of custody. Mr. Gerald Hoppmann presented the Board a draft of a letter regarding Title 5, United States Code, Section 552a. Mr. Mike Ober made a motion to authorize staff members to mail the letter along with the application packet to all new applicants. The motion, seconded by Ms. Mary Pedersen, carried.

NEW BUSINESS

The Board reviewed a correspondence from Michael Kessler regarding licensure requirements. The Board requested their administrator to send a letter in response to Mr. Kessler requesting him to provide more details and clarification on his request to the Board.

EXECUTIVE SESSION

At 2:55 p.m. Mr. Roger McDonald made a motion to go in to Executive Session to discuss potential personnel matters pursuant to KRS 61.810 (f). The motion, seconded by Mr. Mike Ober, carried.

Mr. Roger McDonald made a motion to go out of Executive Session. The motion, seconded by Ms. Mary Pedersen, carried.

ADJOURNMENT

After Executive Session, due to a lack of quorum, the meeting was unable to proceed which caused the meeting to end without formal adjournment by the Board.

APPROVED